

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-28 are pending. Claims 1, 4, 7, 11, 16-19, 21 and 22 are amended. Claims 23-28 are added. Claims 2 and 3 are cancelled. The Specification is amended to obviate drawing objections and informalities raised in the Office Action. No new matter is submitted. Accordingly, entry and consideration of this Amendment is respectfully requested.

Applicants' appreciate the indication of claims 7, 12, 16, 18 and 20 as allowable on page 7 of the Office Action, provided the claims are re-written to include the base and any intervening claims. By this Amendment, the subject matter of claim 7 is incorporated into new claim 23, whereby claim 23 corresponds substantially to original claims 1, 3 and 7. New claims 24-26 correspond substantially to the subject matter of original claims 12, 16 and 18, respectively, and depend from new claim 23. Accordingly, a prompt indication of claims 23-26 as allowed is respectfully requested.

In item 1 of the Office Action, the drawings are objected to for using reference numeral "9" to designate a universal cord and a connector portion. The Specification paragraph at page 7, line 24 – page 8, line 14 has been amended to change "9" to –8—where appropriate to obviate the drawing objection. Accordingly, withdrawal of the drawing objection is respectfully requested.

In item 2 of the Office Action, the Specification is objected to for mis-spelling "video" at page 9, line 4. The Specification paragraph at page 8, line 24 – page 9, line 9 has been amended to correct the mis-spelling and obviate the Specification objection thereby. Accordingly, withdrawal of the Specification objection is respectfully requested.

In item 3 of the Office Action, claims 1-2, 4-6, 9, 13, 19 and 21-22 are rejected under 35 U.S.C. §102(b) as allegedly anticipated based on U.S. Patent No. 4,982,725 to Hibino et al. (hereafter "Hibino"). The rejection is respectfully traversed. Moreover, claims 1, 4, 7, 11, 16-19, 21 and 22 have been amended to clarify their distinguishing features.

To maintain a 35 U.S.C. §102(b) rejection a reference must teach each and every feature of a claimed invention. Hibino does not do so.

With respect to independent claims 1, 19, 21 and 22, the same comprise, *inter alia*, an electrically-bent endoscope having a motor, a gear train or driving force transmitting means or portion for transmitting a driving force generated by the motor, a converting member or sprocket for converting the driving force of the motor to a back and forth movement of a bending operation member or wire, a transmitting member for connecting and disconnecting the gear train or an output member of the driving force transmitting portion or means with the sprocket or converting member, a thrust mechanism or means for moving the transmitting member in an axial direction, whereby the gear train or means for transmitting the driving force or output member thereof are connected or disconnected with the sprocket or converting member by movement of the transmitting member by the thrust mechanism. As recited in claims 1 and 19, the driving force may be transmitted from the gear train to the converting member or sprocket when the gear train is at its final level and is connected to the converting member or sprocket, whereas in claims 21 and 22 the driving force is transmitted without specifying the level of the gear train. Claims 2-18 and 20 depend directly or indirectly from claims 1 and 19.

Claim 23 recites allowable subject matter as discussed above, and new claim 28 recites similar features as set forth above with respect to the gear train, converting member, transmitting member and thrust mechanism, wherein the driving force is transmitted to the converting

member when the final level of the gear train is attained and the converting member and gear train are connected. To this end, as recited in claim 28, the final level of the gear train and the converting member are mounted on a common axis and an operating member connected to the thrust mechanism inputs instructions for connecting and disconnecting the gear train and the converting member.

Hibino discloses an endoscope comprising a first shaft 736 and a second shaft 753 (Fig. 34). A driving gear 751 and thrust member 737 are mounted to the first shaft 736, and a sprocket 755 is mounted to the second shaft 753. The thrust mechanism 737 of Hibino however is essentially a bearing in fixed position along the rotary shaft 736 that it bears (col. 52, lines 37-53), which is quite different from the thrust mechanism that moves the transmitting member in the axial direction as recited in each of independent claims 1, 19, 21, 22, and 28. Moreover, although Hibino refers to a clutch 353 in Fig. 10, Hibino fails to explicitly describe the various components of the clutch or operation thereof as recited in claims 1, 19, 21, 22, 23 and 28. Thus, Hibino fails on its face to teach or disclose the combination of components recited in at least the independent claims 1, 19, 21, 22, 23 and 28 of the claimed invention. Moreover, although the Office Action asserts that Hibino discloses a thrust mechanism, Hibino does not disclose or suggest the combination of features recited in the amended or newly added claims, which have been submitted to make clearer the subject matter of this application. Further, the cancellation of claim 2 renders any rejection thereof moot. Accordingly, withdrawal of the 35 U.S.C. §102(b) rejection of claims 1-2, 4-6, 9, 13, 19 and 21-22 based on Hibino is respectfully requested.

In item 4 of the Office Action, claim 3 is rejected as allegedly unpatentable under 35 U.S.C. §103(a) over the combination of Hibino in view of U.S. Patent No. 4,559,928 to Takayama (hereafter "Takayama"). The rejection is respectfully traversed.

The cancellation of claim 3 by this amendment renders any rejection thereof moot. Accordingly, withdrawal of the 35 U.S.C. §103 (a) rejection of claim 3 based on Hibino in view of Takayama is respectfully requested.

In item 5 of the Office Action, claims 8, 10 and 15 are rejected as allegedly unpatentable over Hibino in view of U.S. Patent Application Publication No. 2002/0087047 to Remijan, et al. (hereafter "Remijan"). The rejection is respectfully traversed.

Claim 1, from which claims 8, 10 and 15 depend, is discussed above. Likewise, Hibino is discussed above. Remijan fails to overcome the deficiencies of Hibino as discussed above with respect to the combination of features recited in claim 1. Thus, withdrawal of the 35 U.S.C. §103(a) rejection of claims 8, 10, and 15 based on the combination of Hibino and Remijan is respectfully requested.

In item 6 of the Office Action, claims 14 and 17 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hibino in view of U.S. Patent No. 6,554,766 to Maeda, et al. (hereafter "Maeda"). The rejection is respectfully traversed.

Claim 1, from which claims 14 and 17 depend, and Hibino are discussed above. Maeda fails to overcome the deficiencies of Hibino as discussed above with respect to the combination of features recited in claim 1. Thus, withdrawal of the 35 U.S.C. §103(a) rejection of claims 14 and 17 based on the combination of Hibino and Maeda is respectfully requested.

Applicants submit that the claims presented in view of the Remarks made herein patentably distinguish over the art applied. Accordingly, prompt allowance of claims 1 and 4-28 is respectfully solicited.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Spinelli', with a stylized flourish at the end.

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